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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

18 FEB 1993

mm Docket. 92-254

IN REPLY REFER TO:

8310-MEA
CN9300427

RECEIVED

FEB 25 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Bill Goodling
House of Representatives
2263 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Goodling:

Thank you for your letter on behalf of Raymond and Janelle Monson. Your constituents have expressed their concerns about our current proceeding to address what many television viewers have described a offensive anti-abortion campaign commercials.

Your constituents' comments have been placed in the record of this proceeding. I trust that the enclosures are informative.

Sincerely,

Roy J. Stewart

Roy J. Stewart
Chief, Mass Media Bureau

Enclosures

Congressional

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM

02/08/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300427	02/08/93	02/02/93	02/19/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	William Goodling	BC

CONSTITUENT'S NAME	SUBJECT
Raymond & Janelle Monson	offensive/poor taste in programming

REF TO	REF TO	REF TO	REF TO
MMB	<i>Erf</i>	<i>CrI</i>	

DATE	DATE	DATE	DATE
02/08/93	<i>2-8-93</i>	<i>2-8</i>	

REMARKS: reply attn: Julie Williams

8 FEB REC'D

BILL GOODLING
19TH DISTRICT, PENNSYLVANIA

TOLL FREE DISTRICT NUMBER:
800-832-1811

RANKING MINORITY:
COMMITTEE ON
EDUCATION AND LABOR

COMMITTEE ON
FOREIGN AFFAIRS



*MMB
offensive
427*

Congress of the United States
House of Representatives
Washington, DC 20515-3819

February 2, 1993

ROOM 2263
RAYBURN HOUSE OFFICE BUILDING
TELEPHONE: (202) 225-5836

DISTRICT OFFICES:
FEDERAL BUILDING
200 SOUTH GEORGE STREET
YORK, PA 17405-9999

CHAMBER BUILDING
212 NORTH HANOVER STREET
CARLISLE, PA 17013-2423

140 BALTIMORE STREET
ROOM 301
GETTYSBURG, PA 17325-2311

2020 YALE AVENUE
CAMP HILL, PA 17011-5456

44 FREDERICK STREET
HANOVER, PA 17331-3598

Federal Communications Commission
Office of Congressional
and Public Affairs
1919 M St., N.W.
Washington, D.C. 20554

Dear Sir:

The attached communication sent to me by Raymond and Janelle Monson has been respectfully referred to you for your review, consideration, and comment.

I ask that you kindly return the enclosed correspondence to Julie Williams of my staff.

Thank you in advance for your assistance.

Sincerely,

BILL GOODLING
Member of Congress

WFG/jwf

JAN 20 1993

FEB 02 1993

Congressman Goodling
200 South George Street
York, Pa 17405

Jan. 20, 1993

Dear Congressman Goodling,

I've enclosed a copy of a letter my wife and I wrote to the FCC concerning a question posed by them. As my representative I want to keep you informed of my concerns. Any information or feedback you can provide us in this matter would be most appreciated. Thank you for your service to our community.

Best regards,

Raymond E. Monson
Janelle J. Monson

Raymond E. Monson
Janelle J. Monson

Office of The Secretary
Federal Communication Commission
1919 M Street NW
Washington D.C. 20554

Jan. 20, 1993

Thank you for offering the opportunity to provide some comment to you for proposed rule making. The issue for this letter concerns a question before the FCC as follows, "Should a broadcast licensee be allowed to regulate or to not broadcast material it deems is harmful to children but is not considered indecent?" This is as I understand the question from a phone call I made to the FCC on January 15. By the way, the staff I dealt with was very helpful and courteous. I've jotted down my thoughts, I hope you can take input that is not a simple yes or no answer.

From what I have been able to gather from other sources the question comes, at least in part, from a recent political campaign ad in Virginia which a broadcast licensee either did not run or aired in off-hours. The advertisement addressed the abortion question as a campaign issue and showed photos of aborted babies. As far as being harmful, it might be considered harmful to the cash flow of the local abortion provider. But I fail to see how it would seriously be considered harmful to children. I'm sure some people and even some experts may have that position, but realistically, it can't be any more harmful than seeing graphic TV murders or seeing dead bodies on the 6 pm evening news, both of which are broadcast in abundance. The ad was political in nature, in a campaign, on an issue where there is a lot of varying opinion. In this context I believe the ad should have been run, particularly since it was a political advertisement concerning an issue of great importance to many voters. I think there is great danger to freedoms in this country when opposing viewpoints cannot be expressed through the broadcasting media. I see that the potential exists within the question before the FCC for the broadcast media to essentially cut off access to opposing viewpoints should the media in an area be so inclined. This can easily be done under the guise of an opposing idea being considered "harmful" to children. The issue, particularly in regards to political speech material, reminds me of some individuals in Texas who decided to burn the American flag. They were promptly jailed by the local authorities. Their case wound up before the United States Supreme Court a couple of years ago. The court decided that the flag burning was political speech and was protected by the constitution no matter how offensive or how harmful it may be to a lot of people. There can be a very blurred but very important distinction between what is "harmful", what is "offensive", what is "unpleasant", and "ideas I do not agree with". I for one am not wise enough to codify these differences into a proposed rule.

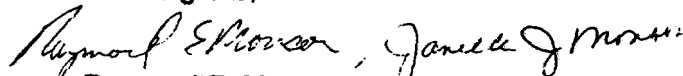
I also question the level of discernment currently being exercised by broadcast license holders. I see an abundance of material that even psychologists consider harmful to children being broadcast every day, at all times, without question, in the ever increasing amount of violence, sex and some rather raunchy radio talk shows being aired.

On the other side of the question, I do see situations arising where a broadcast licensee would be forced to air material that is universally considered very harmful to children or families if they do not have the ability to exercise discernment in what is going to go across public airwaves. For instance, if a hypothetical group wanted to get on the air, for whatever reason, with material promoting teen-age suicide, or to promote illegal drug use, the material would have to be aired if the right of discretion were not given to the broadcast licensee.

As you can see I do have very serious concerns if the rule gives carte-blanch authority to broadcast licensees to regulate what material is aired particularly where the material is political in nature, with true, factual information intended to inform people in general of viewpoints. I also have a serious problem if broadcast licensees are not given authority to use discretion in what is being aired at a given time. I really view the question as posed to be much too broad in it's potential application and misapplication to the public airwaves.

Thank you for the opportunity to comment on the question before the FCC and thank you for taking the time to carefully consider this input, I hope it is of help to you in your deliberations.

Best Regards,


Raymond E. Monson
Janelle J. Monson